



PATENT
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By

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JUN 28 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE DIVISIONAL APPLICATION OF:

William J. Curatolo, et al.

TECH CENTER 1600/2900

SERIAL NO.: 09/577,059

: EXAMINER: R. Dewitty

FILED: May 22, 2000

: ART UNIT: 1616

FOR: **Controlled-Release Dosage
Forms of Azithromycin**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT UNDER RULE 111

This is in response to the non-Final Office Action mailed on December 18, 2003 in the above-identified application, the term for response having been extended three (3) months to June 18, 2004 by including the appropriate fee and petition herewith.

A copy of the claims status is appended at the end of Applicants' traversal, along with an amendment to the specification, each starting on its own separate sheet.

REMARKS

The specification has been amended, by inserting as the first paragraph immediately following the title, a sentence reflecting the status of this application as a divisional filing based on Application No. 08/727,634, now U. S. patent 6,068,859, which